

CITY OF HOLLISTER - AGENDA

for **City Council and Redevelopment Agency Meetings**

of **April 18, 2005**

at **6:30 p.m.** in the City Council Chambers, City Hall, 375 Fifth Street, Hollister

NOTICE TO PUBLIC

Persons who wish to address the City Council must complete a Speakers Card and give it to the Clerk prior to addressing the City Council. Those who wish to address the City Council on an agenda item will be heard when the presiding officer calls for comments from the audience. City related items not on the agenda will be heard under the Public Input section, Section B, of the agenda. Following recognition persons desiring to speak are requested to advance to the podium and state their name and address. After hearing audience comments, the public portion of the meeting will be closed and the matter brought to the City Council for discussion and action.

Requests to make presentations to the City Council should be submitted to the City Clerk's Office at least ten days preceding the City Council meeting. It is customary for the staff members to review such matters prior to formal presentation in order that the City Council may have the benefit of all available data.

All matters listed under Consent Resolution will be enacted by one motion authorizing actions indicated for those items so designated. There will be no separate discussion of these items unless requested by a member of the City Council, a staff member, or a citizen.

**** 6:00 p.m. - Closed Session -- See Attached Agenda.**

Call to Order

Pledge of Allegiance

Roll Call:

Mayor Pauline Valdivia, Council Members Brad Pike, Robert Scattini, Doug Emerson and Monica Johnson, City Manager Clint Quilter, City Attorney Elaine Cass, and City Clerk Geri Johnson.

Verification of Agenda Posting

6:00 P.M. - CLOSED SESSION AGENDA:

- A. Public comment (limited to any item listed on Closed Session agenda).
- B. A Closed Session will be held by the City Council of the City of Hollister to discuss all or some of the following matters:
 - 1. Conference with Legal Counsel - Anticipated Litigation - Significant Exposure to Litigation pursuant to Government Code Section 54956.9(b) - (2 potential cases will be discussed).
 - 2. Conference with Legal Counsel - Anticipated Litigation - Initiation of Litigation pursuant to Government Code Section 54956.9(c) - (2 potential cases will be discussed).
 - 3. Conference with Legal Counsel - Pending Litigation - Pursuant to Government Code Section 54956.9(a) –
 - a. RWQCB – Cease and Desist Order No. R3-2002-0105
 - b. City of Hollister v. Monterey Insurance Company, California Capital Insurance Company, Case Number M65916
 - c. Nicholson v. Hollister, Case No. CU-04-00063
 - d. Borges et al v. Hollister, Case No. CV030139
 - 4. Conference with Labor Negotiator pursuant to Government Code Section 54957.6:

Agency Negotiator: Clint Quilter

Employee Organizations: Service Employees International Union, Local 817; Hollister Firefighters Union – Local 3395; Hollister Peace Officers Association, Hollister Mid-Management Association; and un-represented employees in classifications designated as Executive Management and Confidential.
 - 5. Threat to Public Services or Facilities pursuant to Government Code Section 54957:

Consultation with City of Hollister Chief of Police

6:30 P. M. - AGENDA

A. CONSENT RESOLUTION (April 18, 2005):

All items listed under consent Resolution will be enacted by one motion authorizing actions indicated for those items so designated. There will be no separate discussion of these items unless requested by a member of the City Council, a Staff member, or a Citizen.

Consent Items are Numbers A1, A2, A3 and A4.

A1. Minutes of Regular Meeting of April 4, 2005.

Approve Minutes of the Regular Meeting of April 4, 2005, as submitted.

A2. Warrant Registers.

The City Council will ratify and approve the following Warrant Registers:

- March 30, 2005 \$139,786.17
- April 7, 2005 \$357,804.14

A3. Temporary Storage of Fireworks at Hollister Airport.

Council to approve storage of Safe & Sane fireworks at the Hollister Airport for 11 days. These are the fireworks that will be sold in town by local non-profit organizations.

A4. Resolution No. 2005-53, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER AUTHORIZING A SUPPLEMENTAL APPROPRIATION FOR THE REPAIRS OF HOLLISTER FIRE DEPARTMENT ENGINE 9213 IN THE AMOUNT NOT TO EXCEED \$30,000.00.

This Resolution provides a supplemental appropriation not to exceed \$30,000.00 for the in-frame engine overhaul of Hollister Fire Department Engine 9213 (1987 Grumman).

B. PETITIONS, REMONSTRANCES, AND COMMUNICATIONS:

1. PUBLIC INPUT.

This is the time for anyone in the audience to speak on any item not on the agenda and within the subject matter jurisdiction of the council. When the City Clerk calls your name, please come to the podium, state your name and address for the record, and speak to the Council. Each speaker will be limited to two (2) minutes. Please note that state law prohibits the council from discussing or taking action on any item not on the agenda.

C. PUBLIC HEARINGS (On or About 6:30 p.m.)

1. Resolution No. 2005-54, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING A REQUEST BY WASTE MANAGEMENT INC. FOR A RATE INCREASE AND DIRECTING THE PREPARATION OF A MEMORANDUM OF UNDERSTANDING CONCERNING SOLID WASTE AND RECYCLING COLLECTION AND DISPOSAL.

CONDUCT PUBLIC HEARING

This Resolution approves a 5.04% rate increase for solid waste collection and authorizes the preparation of a Memorandum of Understanding with Waste Management, Inc.

D. INTRODUCTION AND ADOPTION OF RESOLUTIONS AND ORDINANCES:

1. Read by Title Only and Adopt Ordinance No. 996, An Ordinance of the City Council of the City of Hollister Adding Section 10.44.146 to the Municipal Code Prohibiting the Use of Bicycles in Skateboard Parks.

This Ordinance adds section 10.44.146 to the Municipal Code prohibiting the use of bicycles in skateboard parks.

2. Resolution No. 2005-55, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING A MITIGATED NEGATIVE DECLARATION FOR THE JAMANN MINOR SUBDIVISION LOCATED AT CUSHMAN STREET AND NASH ROAD IN THE CITY OF HOLLISTER [APN #057-230-001, -002, -003, AND -019].

This Resolution approves a mitigated negative declaration for the Jamann Minor Subdivision located at Cushman Street and Nash Road.

3. Resolution No. 2005-56, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER ADOPTING AN AUTOMATIC AID AGREEMENT BETWEEN THE CITY OF HOLLISTER FIRE DEPARTMENT AND THE SAN BENITO COUNTY FIRE DEPARTMENT.

This Resolution adopts an automatic aid agreement between the City of Hollister Fire Department and the San Benito County Fire Department.

4. Resolution No. 2005-57, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING THE PROFESSIONAL SERVICES CONTRACT WITH AURUM CONSULTING ENGINEERS MONTEREY BAY, INC.

This Resolution approves the Professional Services Contract with Aurum Consulting Engineers Monterey Bay, Inc.

E. REPORTS OF CITY COUNCIL, OFFICERS, BOARDS, AND COMMITTEES:

1. Reports from City Council, City Manager, City Attorney, and Staff.

Receive oral reports from the City Council, City Manager Quilter, City Attorney Cass, City Clerk Johnson, and other Staff as applicable.

2. Reports from City Council Committees.

Receive oral reports from members regarding the activities of various Ad hoc and Standing City Council Committees.

3. January, 2005 and February, 2005 City of Hollister and Hollister Redevelopment Agency Financial Progress Reports.

Staff will present a two-month financial progress report with an analysis of all budgetary activity for the months of January and February 2005.

F. UNFINISHED BUSINESS:

1. Receive oral report regarding water and wastewater issues.

Staff will be providing the City Council with an update of water and wastewater issues.

G. NEW BUSINESS:

1. Consider Policy for Procurement of Professional Services.

Staff will be presenting information on the current purchasing policy and make a recommendation for preparation of a policy for procurement of professional services.

H. MISCELLANEOUS:

None.

ADJOURNMENT:

Next Regular City Council Meeting is scheduled for May 2, 2005, at 6:30 P.M.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk's Office at (831) 636-4304. Notification of 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting [28 CFR 35.102-35.104 ADA Title II].